

## UNITED STATES DISTRICT COURT

FILED

for the

Eastern District of Tennessee 

2019 APR 15 A 10:05

Northern Division

U.S. DISTRICT COURT  
EASTERN DIST. TENN.

Charles "Van" Morgan

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

William M. (Muecke) Barker,  
Esq., Margaret L. Behm, Esq., William L. Harbison,  
Esq., Jeffrey M. Ward, Esq., Barbara M. Zoccola, Esq.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. 

(to be filled in by the Clerk's Office)

3:19-cv-00122-CRW

Jury Trial: (check one)  Yes  No

McDonough / Guyton

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Charles "Van" Morgan
Street Address	3434 June Street
City and County	Knoxville, Knox
State and Zip Code	Tennessee 37920
Telephone Number	(865) 405-2841
E-mail Address	cvanmorgan@hotmail.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name	William M. (Muecke) Barker, Esq. Chattanooga, TN
Job or Title ( <i>if known</i> )	Tennessee Board of law examinors and Attorney Chambliss
Street Address	605 Chestnut Street, Suite 1700
City and County	Chattanooga, Hamilton County
State and Zip Code	TN 37450
Telephone Number	423.756.3000
E-mail Address ( <i>if known</i> )	mbarker@chamblisslaw.comvCard

## Defendant No. 2

Name	Margaret L. Behm, Esq. Nashville, TN
Job or Title ( <i>if known</i> )	TN Board law, Attorney Dodson Parker Behm and Capparella PC
Street Address	1310 Sixth Avenue
City and County	Nashville, Davidson
State and Zip Code	TN 37208
Telephone Number	615-254-2291
E-mail Address ( <i>if known</i> )	Lisa.Perlen@tncourts.gov

## Defendant No. 3

Name	William L. Harbison, Esq.Nashville, TN
Job or Title ( <i>if known</i> )	TN board law, Attorney Sherrard Roe Voigt & Harbison
Street Address	150 3rd Ave S,
City and County	Nashville, Davidson
State and Zip Code	TN, 37201
Telephone Number	(615) 742-4524
E-mail Address ( <i>if known</i> )	Lisa.Perlen@tncourts.gov

## Defendant No. 4

Name	Jeffrey M. Ward, Esq.Greeneville, TN
Job or Title ( <i>if known</i> )	TN board law, Attorney Milligan & Coleman
Street Address	109 S Main St, Greeneville, TN 37743
City and County	Greenville, Greene County
State and Zip Code	TN, 37743-4910
Telephone Number	(423) 639-6811
E-mail Address ( <i>if known</i> )	Lisa.Perlen@tncourts.gov

Defendant No. 1

Name	<u>Barbara M. Zoccola, Esq. Memphis, TN</u>
Job or Title ( <i>if known</i> )	<u>Board of law examiners, Asst. U.S. Atty.</u>
Street Address	<u>800 Federal Bldg 167 N Main St</u>
City and County	<u>Memphis, Shelby</u>
State and Zip Code	<u>TN 38103- 1898</u>
Telephone Number	<u>(901) 544-4231</u>
E-mail Address ( <i>if known</i> )	<u>Lisa.Perlen@tncourts.gov</u>

Defendant No. 2

Name	<hr/>
Job or Title ( <i>if known</i> )	<hr/>
Street Address	<hr/>
City and County	<hr/>
State and Zip Code	<hr/>
Telephone Number	<hr/>
E-mail Address ( <i>if known</i> )	<hr/>

Defendant No. 3

Name	<hr/>
Job or Title ( <i>if known</i> )	<hr/>
Street Address	<hr/>
City and County	<hr/>
State and Zip Code	<hr/>
Telephone Number	<hr/>
E-mail Address ( <i>if known</i> )	<hr/>

Defendant No. 4

Name	<hr/>
Job or Title ( <i>if known</i> )	<hr/>
Street Address	<hr/>
City and County	<hr/>
State and Zip Code	<hr/>
Telephone Number	<hr/>
E-mail Address ( <i>if known</i> )	<hr/>

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

Federal question  Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

- 1) The Fourteenth Amendment to the United States Constitution due process clause.
- 2) The Supremacy Clause of the United States Constitution (Article VI, Clause 2).
- 3) Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.
- 4) conspiracy, in restraint of trade or commerce among the several States 15 U.S.C. § 1

### B. If the Basis for Jurisdiction Is Diversity of Citizenship

#### 1. The Plaintiff(s)

##### a. If the plaintiff is an individual

The plaintiff, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_.

##### b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

#### 2. The Defendant(s)

##### a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.  
\_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):  
\_\_\_\_\_

---

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

1) The Tennessee courts and the board of law examiners violated my due process rights falling below the federal floor of constitutional protection. The Tennessee courts after the fact excluded expert testimony both sides agreed needed to decide the case. The administrative judge ruled without proof that I was not credible and the board of law examiners allowed this finding in their decision contrary to Tennessee case law. Members of the board have sought employment in the Tennessee Attorney Generals office and judges who ruled against me in the Admin case that said I was not credible have had family members promoted to the Tennessee Supreme court by the Governor. My administrative case was against the Governors Hwy Patrol. Continued on separate page.

---

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Charles Van Morgan Continued from page 4, III Statement of the claim.

2) The Supremacy Clause of the United States Constitution (Article VI, Clause 2).

The Tennessee Board of Law Examiners used in its decision against me as bad conduct Federal Civil Law Suits filed against me in federal court that The Federal Court Judges found and decided in my favor in all accusations I had no bad conduct. The Tennessee board of law examiners even used the Federal civil law suit now dismissed in my favor in Federal Court involving the pursuit I was wrongly fired for as bad conduct I was sued. The Tennessee board of law examiners superseded its power and is attempting to trump the federal courts power to adjudicate federal claims denying the federal courts decisions authority in Tennessee.

3) Equal Protection Clause of the Fourteenth Amendment to the United States Constitution

The Equal Protection clause within the text of the Fourteen "nor shall any State [...] deny to any person within its jurisdiction the equal protection of the laws".

The Tennessee Board of Law Examiners gives much younger applicants with criminal convictions and a former state trooper in similar but far worse circumstances his law license and refuses to allow me a license.

4) Conspiracy, in restraint of trade or commerce among the several States 15 U.S.C. § 1. The Sherman Act.

The Tennessee board of law examiners denied me my law license in February 2019 among other reasons stating that I had not adequately informed my law school and the board of my termination from the highway patrol. The board is made up of members of the profession who are not supervised by another state agency. At least one of the board members has a child that is also a lawyer.

4

B

---

## V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

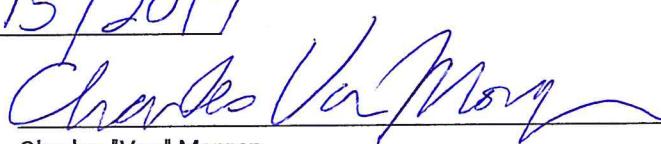
### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

4/15/2019

Signature of Plaintiff



Printed Name of Plaintiff

Charles "Van" Morgan

### B. For Attorneys

Date of signing:

\_\_\_\_\_

Signature of Attorney

\_\_\_\_\_

Printed Name of Attorney

\_\_\_\_\_

Bar Number

\_\_\_\_\_

Name of Law Firm

\_\_\_\_\_

Street Address

\_\_\_\_\_

State and Zip Code

\_\_\_\_\_

Telephone Number

\_\_\_\_\_

E-mail Address

\_\_\_\_\_